



2186

Practitioner's Docket No. 1247/A63

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Arthur C. McKinney

Application No.: 10/037,129 ✓  
Filed: 01/04/2002  
For: High-Availability Super Server

Group No.: ~~5659~~  
Examiner: Tran, D.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

DEC 03 2003

Technology Center 2100

## AMENDMENT TRANSMITTAL

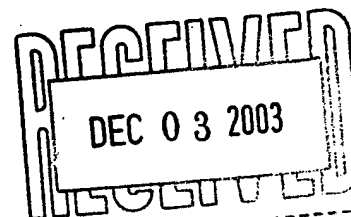
1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is other than a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## 37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

## 37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Signature

Date: November 26, 2003

Alexander J. Smolenski, Jr.

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

|   | (Col. 1)                                  | (Col. 2)                              | (Col. 3)         | OTHER THAN A SMALL ENTITY |               |      |  |
|---|---|---------------------------------------|------------------|---------------------------|---------------|------|--|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE                      | ADDIT.<br>FEE |      |  |
| TOTAL                                     | 7   | - 20                                  | = 0              | x \$ 18.00                | = \$          | 0.00 |  |
| INDEP.                                    | 2   | - 4                                   | = 0              | x \$ 86.00                | = \$          | 0.00 |  |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                       |                  | + \$ 0.00                 | = \$          | 0.00 |  |
|   |   |                                       |                  | TOTAL<br>ADDIT. FEE       | \$            | 0.00 |  |

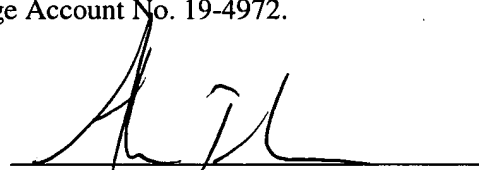
No additional fee for claims is required.

## FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 19-4972.

An additional fee for claims is required, charge Account No. 19-4972.

Date: November 26, 2003

  
 Alexander J. Smolenski  
 Registration No. 47,953  
 Bromberg & Sunstein LLP  
 125 Summer Street  
 Boston, MA 02110-1618  
 US  
 617-443-9292  
 Customer No. 02101

01247/00A63 282737.1